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ABSTRACT

The author reviews the challenges of P.L. 94-142, the Education for All Handicapped Children Act, notes some of its problems, and describes the cooperative approach of Bowling Green State University (Ohio) and the Northwest Ohio Special Education Regional Resource Center to overcome those problems. Among issues cited regarding implementing the law are preparation of regular educators, followup of mainstreamed students, and services for unserved 18 to 21 year old handicapped students. The two Ohio agencies have initiated a survey of educators implementing P.L. 94-142 in Northwest Ohio. The development of a questionnaire covering five major topics (referral, assessment, staffing, individualized education programs, and implementation of P.L. 94-142) is briefly described. (CI)

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INTRODUCTION TO "PROBLEMS ENCOUNTERED BY EDUCATIONAL PERSONNEL IN IMPLEMENTING P. L. 94-142"

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PROBLEMS ENCOUNTERED

IN IMPLEMENTING P. L. 94-142

Dr. Ellen U. Williams

Public Law 94-142 has been cited as a milestone in human rights legislation for the handicapped. The spirit of this law is denoted by its title, the "Education for All Handicapped Children Act." The spirit of the law has been defined as containing four basic values; individual attention to each handicapped child; avoidance of erroneous classification; parental involvement; and a mutual exposure of handicapped and non-handicapped children. (S.R.I., 1978) .In essence it is an attempt to provide an opportunity for all handicapped children to be included in the mainstream of life rather than to be segregated in an isolated artificial life and learning environment.

The responsibility for implementing this law needs to be assumed by the public sector and all education personnel at federal, state and local levels. In order to implement P. L. 94-142, numerous federal, state and local mandates and directives have been formulated under which school administrators, support personnel and teachers are to operate. The local mandates, directives and policies which have been formulated to achieve the "letter of the law" have included the following new procedures:

- A child identification program that would find all handicapped children from age 0 - 21.
- Training programs to insure that all educational personnel, including the local boards, administrators, support personnel and teachers, be apprised of their responsibilities of the law.

- An evaluation system which insured multifactored assessment and nondiscriminatory testing.
- A system which assured due process for the handicapped student and his/her parents.
- Parental involvement in all decisions related to the education of their handicapped children.
- The development of individual education programs for all handicapped students.
- The development of systems for monitoring/reviewing progress and for mainstreaming handicapped students into the least restrictive alternative educational setting.

Although the spirit of the law may have been positively received by educational personnel, the operational mandates and directives for implementing the law were challenging and yet somewhat overwhelming to these educators. Although overwhelmed, educational personnel did pick up the challenge of implementing P. L. 94-142.

> "In all sites, major activities were initiated in response to the federal mandates. Indeed, never have so many local and state agencies done so much with so few federal dollars to implement a federal education mandate." (Turnkey Systems, 1979)

But the challenge taken on by these educators was not to be void of problems. Some of the problems and concerns included:

- Child Identification Programs may not be ongoing systematic programs but more spasmodic in nature
- What are the criterion for determing least restrictive alternative?

- What are the guidelines for appropriate mainstreaming?
- How can the unserved 18 - 21 year old handicapped individual be served?
- Lack of trained personnel in the diagnostic sector.
- Is there really parent involvement in the I. E. P.?
- Is there really a "team" involvement in placement decisions or do administrators and psychologists dominate the placement meetings?
- Regular educators indicate that they don't feel qualified to participate in staffings.
- Are the goals and objectives found on the I. E. P. commensurate with the needs of the child as indicated through evaluation?

(Galloway, Norman, Schipper, 1979)

From a personal observation based on feedback from special educators in the field, the following concerns might be added:

- What role/responsibility does the special educator play in orientating regular educators in:
    1. appropriate guidelines for referral
    2. involvement in staffings
    3. involvement in implementing I. E. P.'s
    4. involvement in mainstreaming
    5. involvement in conferences with parents of handicapped student
    6. involvement in grading systems for the handicapped student?

- If the special educator doesn't have released time, when are they to evaluate students and write up the I. E. P.'s?
- Are special educators feeling as though they're caught up with the accountability of having to meet the goals/objectives stated in the I. E. P.--and--as a result are they writing very broad, general goals on the I. E. P. to avoid being caught up in the accountability syndrome?
- What responsibility does the special educator have in the follow-up evaluation on a mainstreamed student?
- When does the special educator find time to consult with the regular educator who is the recipient of a mainstreamed student?
- What can a special educator do to change attitudes of other school personnel related to the receptivity of handicapped students?

These are but a few of the concerns which have been voiced by special educators in the field.

In an attempt to address these educators' concerns and questions related to P. L. 94-142, a vast number of preservice and inservice programs have been initiated by institutions of higher education and special education support agencies throughout the country. Although the intent of these programs was to provide assistance in implementing P. L. 94-142, we may need to heed the words of Maynard C. Reynolds:

"Without even trying, I have been shown at least

> six sets of transparencies, listened to endless audio cassettes on the requirements of Public Law 94-142, and I have been guided through several versions of 'sure-fire" forms to satisfy all of the new regulations. What I see and hear seems well designed to keep teachers out of jail--to comply with the law, that is--but usually I sense little vision of how people might come together creatively to design environments for better learning and living by handicapped students." (Reynolds, 1978)

In keeping with the advice of Maynard Reynolds, the charge of service to institutions of higher education and to special education agencies is to promote the "vision of how people might come together creatively to design environments for better learning and living by handicapped students." As a response to that charge and as an endeavor to meet the needs of educators implementing P. L. 94-142 in Northwest Ohio, the Department of Special Education at Bowling Green State University and the Northwest Ohio Special Education Regional Resource Center have been working cooperatively to survey the needs of these educators at the grass roots level and to provide strategies for coping with the problems encountered in the implementation of the law.

In order to more clearly define some of the problem areas, a questionnaire was developed by Dr. Veronica Gold and myself that would address the major issues of the law and attempt to clarify those issues which may be concerns of special educators. The questionnaire was piloted and refined to include 78 questions covering five major categories:

I. Referral Process

II. Assessment

III. Staffing

IV. I. E. P.--Individual Education Programs

V. Implementation of P. L. 94-142

The following presentations by Dr. Veronica Gold and Ms. Lynn Burkholder describe the research and results of this questionnaire.

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